

DECISION RECORD
for
Canine-Crane Creek Fence
EA OR-025-2000-25

INTRODUCTION: Following a 30-day comment period for the Canine-Crane Creek Fence Environmental Assessment (EA), EA OR-025-00-25, the Three Rivers Resource Area Field Office, Bureau of Land Management (BLM) is issuing a decision for the construction of a fence and authorization of up to 196 AUMs of Temporary Non-renewable Use in the Coyote Creek Allotment. The decision is to implement the proposed action of the EA.

DECISION: Having considered a range of alternatives and associated impacts and based on the analysis in the Canine-Crane Creek Fence EA, it is my decision to implement the proposed action to construct the fence and authorize up to 196 AUMs of Temporary Non-Renewable Use on an annual basis. This decision pertains only to land administered by the BLM.

Rationale for Decision: I have selected the proposed action for the following reasons:

It prevents cattle from grazing in the riparian areas outside of the spring season.

It facilitates better utilization of the upland portions of the allotment..

It is responsive to meeting rangeland standards and guidelines by improving watershed function in the uplands.

There were no comments received from the public during the comment period.

It is in conformance with Section 7(a)1 of the Endangered Species Act.

It is in compliance with Federal laws that mandate the management of public land resources (Federal Land Policy and Management Act of 1976).

The decision does not result in any undue or unnecessary environmental degradation.

I have also considered two alternatives to the proposed action:

Alternative 1 - Fence off the creek but do not increase grazing.

This alternative proposed that the fence would be built but no grazing would be authorized in excess of permitted use. I did not select this alternative because it would not allow the same degree of potential improvement in grazing management.

Alternative 2 - No Action.

This alternative proposed that no fence would be built nor would grazing be authorized in excess of permitted use. I did not select this alternative because it would not allow the same degree of improvement in grazing management.

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and Form 1842-1. If an appeal is filed, your notice of appeal must be filed in the Burns District Office, HC 74-12533 Hwy 20 West, Hines, OR 97738 by October 21, 2000. The appellant has the burden of showing that the decision appealed is in error.

If you wish to file a petition, pursuant to regulation 43 CFR 4.21, for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for stay must accompany your notice of appeal. A petition for stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied.
- (2) The likelihood of the appellant's success on the merits.
- (3) The likelihood of immediate and irreparable harm if the stay is not granted.
- (4) Whether or not the public interest favors granting the stay.

Signature on File

December 11, 2000

Craig M. Hansen
Three Rivers Resource Area Field Manager

Date

USDI, Bureau of Land Management
Three Rivers Resource Area, Burns District
Hines, Oregon 97738

Finding of No Significant Impact
for
Canine-Crane Creek Fence
EA OR-025-2000-25

This proposal is in conformance with objectives and land use plan allocations in the 1992 Three Rivers Resource Management Plan (RMP).

Based on the analysis of potential environmental impacts contained in the Environmental Assessment (EA) and all other information, I have determined that the proposal and alternatives analyzed do not constitute a major Federal action that would significantly impact the quality of the human environment. Therefore, an Environmental Impact Statement (EIS) is not necessary and will not be prepared. This determination is based on the following factors:

1. Beneficial, adverse, direct, indirect, and cumulative environmental impacts discussed in the EA have been disclosed. The physical and biological effects are limited to the Three Rivers Resource Area.
2. Public health and safety would not be adversely impacted.
3. There would be no adverse impacts to wetlands, floodplains, areas with unique characteristics or ecologically critical areas.
4. There are no highly controversial effects on the environment.
5. There are no effects that are highly uncertain or involve unique or unknown risk. Sufficient information on risk is available based on information in the EA and other past actions of a similar nature.
6. This alternative does not set a precedent for other projects that may be implemented in the future to meet the goals and objectives of the Three Rivers RMP, 1992.
7. No cumulative impacts related to other actions that would have a significant adverse impact were identified or are anticipated.
8. Based on previous and ongoing cultural resource surveys, and through the mitigation of avoidance, no adverse impacts to cultural resources were identified or anticipated.

9. No adverse impacts to any threatened or endangered species or their habitat that was determined to be critical under the Endangered Species Act was identified. If at a future time there could be the potential for adverse impacts, guidelines or stipulations would be modified or mitigated not to have an adverse effect or a new analysis would be conducted.

10. This alternative is in compliance with relevant Federal, State, and local laws, regulations, and requirements for the protection of the environment.

Signature on File

December 11, 2000

Craig M. Hansen
Three Rivers Resource Area Field Manager

Date